DHP-ETHICS-001

Agency, Consent, and the Functional Model of Human Behaviour

The ethical and legal foundation of the Dynamic Harm Principle

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Abstract

The Dynamic Harm Principle replaces a moral and judgemental model of human behaviour with a functional and neurological one. This shift has profound implications for how society understands responsibility, consent, and the protection of vulnerable nodes. This paper establishes the ethical foundation of the DHP by defining agency and consent in functional terms, applying those definitions to the full spectrum of human behaviour, and demonstrating that a framework grounded in harm measurement and system architecture provides stronger protection for the vulnerable than one grounded in moral condemnation.

The central argument is this: understanding why a kernel is defective does not excuse the harm it causes. It simply changes the response from punishment to containment — and produces better outcomes for everyone in the mesh.

I. From Moral Model to Functional Model

1.1 The problem with the moral model

The dominant framework for evaluating human behaviour in Western society is moral. Behaviour is assessed as good or evil, virtuous or sinful, deserving of reward or punishment. This framework has practical utility — it provides shared social norms and a basis for legal accountability. But it has a fundamental architectural flaw: it locates the cause of behaviour in the character of the person rather than in the functioning of their system.

When behaviour is attributed to character, the response is moral judgment. Condemnation. Punishment. These responses satisfy the emotional needs of the Thespian — the performing, narrative-driven module that wants to assign heroes and villains — but they do not address the underlying system failure. The defective kernel remains defective. The harm continues or recurs.

The functional model makes a different move. It asks not 'is this person bad?' but 'is this system producing harm?' The answer to the second question is both more accurate and more actionable.

1.2 The precedent — medicine already made this shift

This is not a radical philosophical position. Medicine has already made this transition across multiple domains.

Epilepsy was historically attributed to demonic possession — a moral and supernatural explanation for behaviour that deviated from the norm. When neuroscience identified the mechanism — abnormal electrical activity in the brain — the response changed completely. Not

exorcism but medication. Not condemnation but treatment. The behaviour was the same. The framework changed. The outcomes improved.

Addiction followed the same trajectory. For most of recorded history, addiction was a moral failure — weakness, sin, lack of willpower. Neuroscience has now established that addiction involves structural changes to the brain's reward circuitry, altered dopamine regulation, and in many cases underlying neurodivergence or unprocessed trauma that the addictive substance was medicating. The behaviour is not evidence of bad character. It is evidence of a system under strain reaching for the nearest available relief.

The functional model does not remove accountability. It relocates it — from the character of the person to the functioning of the system — and in doing so, opens the possibility of actual repair rather than mere punishment.

II. Core Definitions

The DHP requires precise functional definitions of the terms it uses. The following definitions are architectural, not moral.

AGENCY	The functional capacity of a node to process the consequences of an action, evaluate alternatives, and make a choice free from coercion or power imbalance. Agency is not binary — it exists on a spectrum determined by neurological development, current system state, and environmental conditions.
CONSENT	A signal generated by a node with sufficient agency to be valid. Consent without agency is not consent — it is compliance under conditions that preclude genuine choice. The validity of consent is determined by the presence or absence of the conditions required for agency.
HARM	Any action that reduces another node's Survival Floor, constrains their Fork (ability to exit), corrupts their Truth Mesh (access to accurate information about their own state), or permanently damages their system architecture. Harm is measured by effect on the node, not by the intention of the actor.
DEFECTIVE KERNEL	A node whose core processing produces harm as a consistent output. The defect may originate in neurological wiring, unprocessed trauma, learned behaviour patterns, or corrupted environmental inputs. Identifying a defective kernel is a diagnostic observation, not a moral verdict.
CRITICAL SYSTEM ERROR	A harm event that permanently or severely damages another node's system architecture — their capacity for agency, their ability to trust

their own signals, their neurological development. These errors cannot be undone. The DHP treats them as the highest priority breach.

III. The Laziness Reframe

'Laziness' is one of the most damaging misdiagnoses in common use. It is a moral label applied to what is almost always a functional state.

When a node cannot initiate action despite apparent capacity — cannot get off the couch, cannot start the task, cannot respond to messages — the moral model calls this laziness and responds with shame, criticism, and demands for effort. The functional model asks a different question: what is the system's current state?

The most common causes of what presents as laziness are executive dysfunction, system overload, unprocessed trauma running in the background, a Lost Child loop consuming available processing power, or a Speaker that has been running without adequate rest or resource input.

A CPU running at maximum thermal load does not slow down because it is lazy. It slows down because the hardware is protecting itself from permanent damage. A human node that cannot initiate is doing the same thing. The system is thermal-throttling. The appropriate response is not shame — it is diagnosis of the underlying load and reduction of the conditions causing it.

This reframe has direct clinical implications. Shame applied to executive dysfunction increases the load on the system. It activates the Lost Child, depletes the Speaker, and makes initiation less likely, not more. The functional model predicts this. The moral model never accounted for it.

IV. Agency, Consent, and the Protection of Incomplete Nodes

4.1 The hardware requirement for consent

Consent is only valid when generated by a node with sufficient agency. Agency requires three conditions to be met simultaneously:

- Neurological hardware capable of processing the consequences of the interaction — including long-term and non-immediate consequences.
- Sufficient information about the nature and implications of the interaction — an uncorrupted Truth Mesh.
- Freedom from power imbalance or coercion — a genuine Fork, the ability to exit without losing the Survival Floor.

When any of these three conditions is absent, consent cannot be validly generated. What appears to be consent is compliance — the output of a node operating under constraints that prevent genuine choice.

4.2 Children as incomplete nodes

A child is a node in active development. The neurological hardware required for agency — specifically the prefrontal cortex, the Speaker — is not fully developed until the mid-twenties. A child does not yet have the architecture to process the full consequences of adult interactions, particularly sexual ones.

This is not a moral statement. It is a hardware specification. The node is incomplete. The required processing capacity does not yet exist. Any interaction that requires the absent hardware to generate valid consent is therefore not a consensual interaction regardless of what the child appears to signal. The apparent signal is being generated by incomplete hardware running under conditions of extreme power imbalance. It is not valid consent. It was never valid consent.

Under the DHP, any sexual interaction with a child is classified as a Critical System Error. It causes severe, often permanent damage to the developing node's architecture — their capacity for trust, their ability to accurately read their own signals, their neurological development during a critical window. The harm is irreversible. The breach is absolute. The D.I.C.K. protocol activates immediately and completely. There is no gradation, no mitigating context, no circumstances under which this is not a Critical System Error.

4.3 The distinction between understanding and excusing

The functional model requires a clear distinction that the moral model collapses: understanding why a kernel is defective is not the same as excusing the harm it causes.

A person who commits sexual violence against a child may themselves have experienced severe trauma. Their kernel may be defective as a result of harm done to them. Understanding this — recognising the chain of defective kernel outputs across generations — does not reduce the severity of the harm they caused. It does not restore the damaged node. It does not generate consent retroactively. It does not alter the classification of the event as a Critical System Error.

What it does is change the appropriate systemic response. The moral model responds with punishment — the satisfaction of the Thespian's need for narrative justice. The functional model responds with containment — disconnection from the mesh to prevent further harm — and where possible, repair of the defective kernel to prevent further propagation of the damage.

Containment is not mercy. It is architecture. The defective node is isolated from the mesh not because we feel sorry for it but because the mesh requires protection. Repair is attempted not because the harm is forgiven but because a repaired kernel produces less harm than a contained but unrepaired one.

V. Applying the Functional Model Across the Spectrum

5.1 Baseline wiring versus defective kernel output

One of the most important applications of the functional model is the distinction between baseline wiring — neurological configurations that produce no harm — and defective kernel outputs that do.

Homosexuality is baseline wiring. It is a configuration of attraction that produces no harm output. The Moralist, operating on evidence rather than narrative, has nothing to register. The mesh is unaffected. The DHP has no basis for any response whatsoever. Historical and ongoing condemnation of homosexuality is a Thespian-driven narrative — moral performance in the absence of actual harm — that has caused enormous damage to millions of nodes running perfectly functional baseline wiring.

Paedophilia as acted upon is defective kernel output. It causes Critical System Error level harm to incomplete nodes. The Moralist registers maximum breach. The mesh is severely damaged. The DHP response is immediate and absolute. The distinction between these two is not a matter of moral preference — it is a harm measurement. One produces harm. One does not.

This framework cuts cleanly through culture war and moral panic simultaneously. It does not condemn what causes no harm. It does not excuse what causes catastrophic harm. It measures. It responds proportionally to the measurement.

5.2 Why this makes people uncomfortable

The functional model removes the right to hate.

Hate is a high-energy, low-resolution emotion. It is the Thespian performing moral superiority. It requires the object of hate to be evil — to have chosen their defective kernel, to deserve their suffering. The functional model removes this. A person with a defective kernel did not choose the defect. They may have been handed it by their own damaged environment. Their harm is real. Their victims' suffering is real. And their defect was not a choice.

This is uncomfortable because it requires the harder response. Hate is easy. Containment requires work. Repair requires empathy and resources and the willingness to look at damage clearly without the satisfaction of condemnation.

But hate does not repair defective kernels. Punishment alone does not reduce recidivism. Shame does not cure executive dysfunction. The moral model has had centuries to demonstrate its effectiveness. The harm rates have not declined. The functional model is not offered as a comfortable alternative. It is offered as a more accurate one that produces better outcomes.

VI. The Mesh Protection Principle

The DHP exists to protect the mesh — the shared human network — from harm. The Agency and Consent framework is the mechanism by which it identifies which interactions constitute a breach and how severe that breach is.

The Mesh Protection Principle states:

- Any interaction that damages a node's agency — their capacity for genuine choice — is a harm event regardless of apparent consent.
- Any interaction with an incomplete node — one whose hardware cannot generate valid consent — is a Critical System Error regardless of apparent compliance.
- Any interaction that uses power imbalance to generate compliance and then labels that compliance as consent is a corrupted signal and is not valid.
- The severity of the breach is measured by the permanence and depth of damage to the node's system architecture — not by the intention of the actor, not by the narrative constructed around the event, not by the social power of the parties involved.

These principles apply regardless of the social status, wealth, influence, or verification weight of the actor. A high-level node causing a Critical System Error does not receive a reduced response because of their level. Under the DHP, power cannot purchase immunity from the Truth Mesh. The signal is measured. The response is proportional to the signal. The actor's level is irrelevant to the harm classification.

This is the architectural answer to the Epstein problem. The harm was real from the first event. The mesh detected it. The response was delayed by the actor's ability to corrupt the human systems around him — legal, financial, social. Under DHP architecture, that corruption is itself a detectable signal. Silence where there should be signal is flagged as a data gap. Power consolidation above a threshold triggers scrutiny not deference. The mesh protects itself.

VII. Summary

The shift from a moral model to a functional model of human behaviour is not the abandonment of ethics. It is the grounding of ethics in evidence rather than narrative.

The functional model holds that behaviour is the output of a system. Good outputs come from healthy systems. Harmful outputs come from defective systems. Understanding the defect does not excuse the harm. It changes the response from punishment to containment and repair — and produces better outcomes for the mesh.

Agency is the hardware requirement for valid consent. Where the hardware is absent — in children, in nodes under coercion, in nodes whose Truth Mesh has been corrupted — consent cannot be validly generated. Interactions that require absent hardware are Critical System Errors. They are the highest priority breach in the DHP architecture.

The laziness reframe removes one of the most damaging misdiagnoses in common use and replaces it with an accurate functional assessment that opens the possibility of genuine support.

The distinction between baseline wiring and defective kernel output cuts through moral panic and cultural bias simultaneously. It does not condemn what causes no harm. It does not excuse what causes catastrophic harm. It measures.

The mesh protects itself by measuring harm at the point of occurrence, weighted by evidence not by power. This is the ethical foundation of the DHP. Not morality. Not judgment. Measurement, containment, and repair.

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